

Remarks

Applicants have amended claim 62 to expedite prosecution. Specifically, Applicants have amended claim 62 to embodiment directed to treatment of HIV, namely to refer to methods for alleviating, relieving, remedying, ameliorating, improving or affecting HIV infection or its symptoms. None of these terms refer to “cure” of the disease. The amendment is supported throughout the specification, for example, on page 6, line 25, which describes that the HIV infection and/or replication is suppressed by the claimed siRNAs, and on page 28 lines 31-32.

Applicants now turn to the rejections.

The Examiner alleged that claims 62 and 67 do not comply with 35 U.S.C. §112 enablement requirement. Specifically, the Examiner alleged that “the state of the art indicates that curing HIV has yet to be achieved” (page 3 of the Office Action). The Examiner also cites a reference that indicates doubt about ever achieving a vaccine against HIV.

Although Applicants respectfully disagree, Applicants respectfully submit that the amendment to claim 62 has obviated the rejection, as the claims are not directed to cure of HIV or vaccination against HIV.

In view of the foregoing, Applicants respectfully submit that all claims are in condition for allowance. Early and favorable action is requested.

Applicants sincerely encourage the Examiner to call the undersigned if additional telephone discussion would expedite allowance of the claims.

In the event that any additional fees are required, the Commissioner is hereby is authorized to charge Nixon Peabody LLP deposit account No. 50-0850. Any overpayments should also be deposited to said account.

Date: October 20, 2009

Respectfully submitted,

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